

Let me emphasize that under the recommendations submitted by the Bar Association Court Study Committee there are many subjects with respect to the judicial branch on which the General Assembly retains its present full control. The General Assembly would determine the number of Superior Court Judges and Solicitors, District Court Judges and Solicitors, and Justices of the Peace (or trial commissioners or magistrates, whichever term is used), and would fix their compensation. The General Assembly would fix all court fees and costs, except those of the appellate court. The number and boundaries of the judicial and solicitorial districts would continue to be fixed by the General Assembly. The General Assembly would have over-all budgetary supervision of the courts, as it should; and would continue to possess adequate and effective authority to take all appropriate action with respect to basic policy matters in the operation of our courts.

There is one other important aspect of court administration which does not involve revision of the Constitution. A few days ago, in response to your specific request at the 1957 Session, the Court Study Committee submitted to you a separate report on the position of Superior Court Solicitors. That report recommends, among other things, that by statutory enactment Superior Court Solicitors be made full-time officials.

Each of the 21 Superior Court Solicitors throughout the State receives the same pay and allowances from the State, yet the amount of work they are called upon to do in prosecuting the criminal docket varies widely from one district to another. One solicitorial district contains two counties, another district contains ten. The number of days of criminal court which must be attended by the solicitor varied from 68 days in one district to 214 in another, during the same year. The number of cases disposed of varied from 498 in one district to 1,666 in another district in the same year.

Aside from the disparity in work-load distribution among our Superior Court Solicitors, which should be re-examined periodically, it seems to me that the time has come when our solicitors should devote full time to their public duties. Inevitably, there is a potential conflict of interest present when, if nothing else, the time and energy demands of a private law practice compete directly with the demand of public service.

I am sure you will want to give very careful consideration to the study and recommendations on the solicitors, and I urge that you take action to make them full-time officials and do whatever else necessary to make this important position more effective.

CONCLUSION

The revision of our State Constitution confronts us with a serious and challenging task. This is a task demanding and deserving of our very best labors. It is a task which demands thorough consideration and thorough discussion. Decisions will not and should not be reached in haste or in such a way that valid and varied points of view are not appropriately considered. I have every confidence that this General Assembly will rise to this great task, and will revise our 1868 Constitution in keeping with the times and to prepare for North Carolina's great future. I believe